

63 FLRA No. 179

AMERICAN FEDERATION OF GOVERNMENT
EMPLOYEES
LOCAL 53
(Union)
and

UNITED STATES DEPARTMENT OF THE NAVY
NAVY PUBLIC WORKS CENTER
NORFOLK, VIRGINIA
(Agency)

0-AR-4532

DECISION

August 13, 2009

Before the Authority: Carol Waller Pope, Chairman and
Thomas M. Beck, Member

This matter is before the Authority on an exception to an
award of Arbitrator

Louis Dene filed by the Union under § 7122(a) of the
Federal Service Labor-Management Relations Statute
(the Statute) and part 2425 of the Authority's Regula-
tions. The Agency filed an opposition to the Union's
exception.

Under § 7122(a) of the Statute, an award is defi-
cient if it is contrary to any law, rule, or regulation, or it
is deficient on other grounds similar to those applied by
federal courts in private sector labor-management rela-
tions. Upon careful consideration of the entire record in
this case and Authority precedent, the Authority con-
cludes that the award is not deficient on the grounds
raised in the exception and set forth in § 7122(a). *See*
Prof'l Airways Sys. Specialists, Dist. No. 1, MEBA/
NMU (AFL-CIO), 48 FLRA 764, 768-69 (1993) (award
not deficient as contrary to law where excepting party
fails to establish that the award is in any manner con-
trary to the law, rule, or regulation on which the party
relies).

Accordingly, the Union's exception is denied.